

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  IPVOICE COMMUNICATIONS, INC.	DOCKET NOS. TCU-00-38 WRU-00-50-3429
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**ORDER APPROVING APPLICATION, GRANTING WAIVERS, AND  
APPROVING CONCURRENCE IN MAPS**

(Issued September 22, 2000)

On July 5, 2000, IPVoice Communications, Inc. (IPVoice), filed an application for issuance of a certificate of public convenience and necessity, pursuant to Iowa Code § 476.29 (1999), stating its intention to provide resold and facilities-based local exchange services. The application has been identified as Docket No. TCU-00-38. IPVoice states that it intends to provide service in the service territory and exchanges of Qwest Corporation, f/k/a U S WEST Communications, Inc. (Qwest), and Iowa Telecommunications Services, d/b/a Iowa Telecom, successor to GTE Midwest Incorporated (Iowa Telecom), as they currently exist and as modified in the future. IPVoice has provided the qualifications of its company officers and financial statements. Additionally, IPVoice states that it will provide full 2-PIC methodology for dialing parity.

Iowa Code § 476.29(2) provides that the local exchange carrier shall not be denied a certificate if the Utilities Board (Board) finds that the applicant "possesses the technical, financial, and managerial ability to provide the service it proposes to

render and the board finds the service is consistent with public interest." The Board has reviewed IPVoice's application and finds the necessary technical, financial, and managerial ability to provide local exchange service has been demonstrated. The Board finds that it is consistent with the public interest to approve the application.

IPVoice requested three waivers, identified as Docket No. WRU-00-50-3429. IPVoice requested a waiver of 199 IAC 16.5(2), which requires it to keep its records according to the uniform system of accounts. IPVoice states that it employs an accounting system in accordance with generally accepted accounting principles (GAAP). The Board finds that this waiver should be granted, since records kept in accordance with GAAP accounting are acceptable for a competitive local exchange service provider.

IPVoice requests the waiver of 199 IAC 18.2. The Board will grant this waiver based upon the statement of IPVoice that it will make the records available to the Board upon request.

IPVoice also requested the Board waive 199 IAC 22.3(1), requiring it to independently publish a directory. The Board will grant this waiver since IPVoice does not have a sufficient number of customers to warrant publishing a directory. IPVoice has stated that it will provide the directory information for inclusion in incumbent local exchange carrier directories.

IPVoice also states that its service area will mirror the service territory of the incumbent local exchange carriers, Qwest and Iowa Telecom, and concurs in the

current maps and any future modifications to those maps. Iowa Code § 476.29(4) requires that each certificate define the service territory in which land-line local telephone service will be provided and authorizes the Board to promulgate rules establishing requirements for filing maps showing the service territory. Subrule 199 IAC 22.20(3) requires that all utilities have on file with the Board maps that show exchange boundaries. The Board finds that by the adoption of the exchange service areas and the service territory maps of Qwest and Iowa Telecom, IPVoice has complied with the requirements of Board rules and Iowa statutes.

IPVoice has not filed proposed tariffs for Board approval, but states that it will file proposed tariffs for approval before it provides service in the state of Iowa. The Board finds that a certificate should not be issued to IPVoice until it has approved tariffs on file.

**IT IS THEREFORE ORDERED:**

1. The application for a certificate of public convenience and necessity filed by IPVoice Communications, Inc., on July 5, 2000, is approved, subject to the requirement that follows.
2. The Board will issue a certificate of public convenience and necessity allowing IPVoice Communications, Inc., to provide local exchange service in Iowa, after it files and the Board approves tariffs to provide local exchange service. At the time IPVoice files tariffs, it shall give notice to all affected local exchange carriers.

3. The request for waivers of 199 IAC 16.5(2), 18.2, and 22.3(1) are granted as described in this order.

4. The concurrence in the local exchange maps and service territory maps of Qwest Corporation, f/k/a U S WEST Communications, Inc., and Iowa Telecommunications Services, Inc., d/b/a Iowa Telecom, successor to GTE Midwest Incorporated, is approved.

**UTILITIES BOARD**

/s/ Allan T. Thoms

/s/ Susan J. Frye

ATTEST:

/s/ Judi K. Cooper  
Executive Secretary, Deputy

/s/ Diane Munns

Dated at Des Moines, Iowa, this 22<sup>nd</sup> day of September, 2000.